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SUBJECT: IAEA - REPORT ON IAEA CONSULTANTS MEETING ON IAEA MEETING  
ON RECOMMENDATIONS FOR SECURITY OF RADIOACTIVE MATERIALS AND  
ASSOCIATED FACILITIES

REF: STATE 96396

11. SUMMARY: A September 7-11 meeting of consultants from Member States concluded discussion and drafting of the IAEA document "Recommendations on the Security of Radioactive Material and Associated Facilities (RM)". Key points of discussion centered on scope of the document, boundary with the other Recommendations documents, document structure, and consistency of terms. The RM document will be opened to wider scrutiny by Member States through the Technical Meeting and 120-day review process. The Technical Meeting is scheduled for the week of February 1, 2010. END SUMMARY.

12. CONSULTANTS' MEETING: Twenty consultants from Australia, Belgium, Brazil, China, France, Germany, India, Japan, Russia, Spain, Sweden and the U.S met 7-11 September 2009 in Vienna to conclude drafting of the Recommendations on the Security of Radioactive Material and Associated Facilities (RM document). The UK chaired this fifth and final consultants' meeting to develop this draft. The U.S. delegation included three representatives, from State, U.S. Nuclear Regulatory Commission, and the National Nuclear Security Administration. This RM document is one of three Recommendations documents that fall within the Nuclear Security Fundamentals in the Nuclear Security Series. Following paragraphs are keyed to the main issues treated in the consultants' meeting.

13. Boundary between Recommendations documents -- One of the main issues discussed during the meeting was the scope boundary between the RM document and the Recommendations for Security of Nuclear Materials and Facilities (INFCIRC/225/Rev.5, or NM document). During the fourth consultancy meeting in June, the Reference Group proposed to change the scope of the RM-document. Until that time, the scope of the RM-document had included all radioactive material outside the scope of INFCIRC/225 (i.e., other radioactive material and nuclear material (NM) below the Category III level). The new proposal was for the scope to be broadened to include also the protection of Category I to III nuclear material in one particular scenario: against malicious acts involving theft of NM and subsequent dispersal resulting in radiological consequences. The scenario involving sabotage of NM (also resulting in radiological consequences) would remain in the scope of the NM-document.

¶4. The Belgian and Japanese delegations had sent letters prior to the meeting objecting to this proposed change in scope, and consultants at the fourth CM had expressed concern with this proposal at the time. After due consideration during this September meeting, the participants agreed that the scope of the RM-document should revert to the scope developed before the fourth consultants meeting. However, in the interest of addressing the wishes of the Reference Group and not to leave this scenario as a gap, the participants included a clause in the scope section of the RM-document that indicates that "while the document is not intended for Categories I to III nuclear material, States could apply the security measures contained within to the prevention of scenarios involving theft of nuclear material and subsequent dispersal leading to radiological consequences".

¶5. Nonetheless, the participants requested that the Reference Group and NM-document consultants reconsider inclusion of the theft and dispersal scenario into the NM-document. Many States consider INFCIRC/225 to be the official and sole guide on the physical protection of their nuclear materials and facilities; many translate INFCIRC/225 and adopt it directly into national law. The participants, as experts on radioactive material protection, did not see the benefit of including some of the protections for NM Category I-III materials in another document - particularly one addressed to the regulators and users of radioactive materials and devices.

¶6. Structure of Document -- During the meeting, the IAEA Scientific Secretary pressed hard for the RM-document to be restructured to parallel the higher-level Fundamentals document. Each of the 12 Essential Elements contained in the Fundamentals would be a subchapter heading in Chapter 4 of the RM-document. The Secretariat is also pressing for this in the two parallel Recommendations

documents on Nuclear Materials and on Detection and Response.

¶7. Meeting participants resisted this change. While the Scientific Secretary used existing text in the reorganization, it lost much of the meaning and conceptual flow from the original structure. Participants agreed that it would require a lot of thought and time to rework it. In addition, the Reference Group guidance said the Recommendations documents should "refer to and be consistent with" the Fundamentals document, not that they should follow its structure. In order to meet the intent of the Reference Group, meeting participants added a reference to the Fundamental elements in the RM-document and reviewed it to be sure it was consistent with the Fundamentals.

¶8. Other topics -- Once these issues were resolved, the remainder of the meeting focused on detailed editing of the document, and discussions went well. Participants paid special attention to ensuring a consistent use of terms throughout the document. Terms included regulatory body, competent authority, management, security level, and nuclear security event.

¶9. Next Steps -- The next meeting on the RM Recommendations document will be a Technical Meeting with broader Member State participation, scheduled for the week of 1 February, 2010. Before this time, the two other Recommendations documents are scheduled to be finalized and the Reference Group will hold another meeting. The Secretariat indicated that it may be making some changes to the RM-document before the February meeting depending on the outcome of these activities and to harmonize the RM-document with the others.

¶10. This report was prepared and cleared by the USDEL to the consultancy meeting.

DAVIES

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